IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 30TH JULY 2007 / 8TH SRAVANA 1929

WP(C).No. 12752 of 2004(R)

PETITIONER:

PRASANTH S/O. PANKAJAM,
L.D.CLERK, SREEKRISHNA HIGHER SECONDARY SCHOOL,
GURUVAYUR, CHAVAKKAD, THRISSUR DISTRICT,
RESIDING AT PALLIYARA HOUSE, EAST ROAD,
VADANAPPILLY DESOM, VADANAPPILLY VILLAGE,
CHAVAKKAD TALUK.

BY ADV. SRI.K.J.MOHAMMED ANZAR

RESPONDENTS:

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1. STATE OF KERALA, REP.BY THE PRINCIPAL SECRETARY, GENERAL EDUCATION DEPARTMENT, SECRETARIATE, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PUBLIC INSTRUCTIONS, THIRUVANANTHAPURAM.

3. THE MANAGER, SREE KRISHNA HIGHER SECONDARY SCHOOL, GURUVAYUR, CHAVAKKAD.

4. SAJIMOLEK P.V., JUNIOR HINDI TEACHER, SREE KRISHNA HIGHER SECONDARY SCHOOL, CHAVAKKAD, GURUVAYUR.

BY GOVT.PLEADER SRI.MAJOH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P(C)No.12752/2004

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. TRUE PHOTOCOPY OF THE HINDI BHOOSHEN CERTIFICATE OBTAINED BY THE PETITIONER.

EXT.P2. TRUE PHOTOCOPY OF THE LETTER OF THE PRINCIPAL

EXT.P3. TRUE PHOTOCOPY OF THE REPRESENTATION DT. 21-8-2001 TO THE CHAIRMAN, GURUVAYUR DEVASWOM BOARD.

EXT.P4. TRUE PHOTOCOPY OF THE NOTICE OF THE D.E.O., CHAVAKKAD

EXT.P5. TRUE PHOTOCOPY OF THE REJECTION ORDER OF THE DEO, CHAVAKKAD IN THE APPEAL FILED BY THE 3RD RESPONDENT.

EXT.P6. TRUE PHOTOCOPY OF THE ORDER OF THE DY.DIRECTOR OF EDUCATION.

EXT.P7. ORDER OF THE 2ND RESPONDENT DPI

EXT.P8. REVISION PETITION OF THE PETITIONER PENDING BEFORE THE 1ST RESPONDENT.

EXT.P9. TRUE PHOTOCOPY OF THE JUDGMENT DT. 19-12-03 IN WPC.40469/03 OF THE HON'BLE HIGH COURT OF KERALA.

EXT.P10. TRUE PHOTOCOPY OF THE ORDER DT.11-12-03 ISSUED BY THE 1ST RESPONDENT.

/ TRUE COPY /

P.S.TO JUDGE

KURIAN JOSEPH, J.

W.P(C)No. 12752 of 2004

Dated this the 30th day of July, 2007

JUDGMENT

Petitioner approached this court with certain grievances regarding appointment of the 4th respondent under the 3rd respondent. The issue pertains to the claim made by the petitioner for appointment as Hindi Teacher. Government has rightly declined the request of the petitioner holding that the claim of a non-teaching staff for appointment as Teacher can be considered only in the absence of Teachers who are otherwise eligible for promotion to such post. Therefore, there is no merit in the writ petition. It is accordingly dismissed.

(KURIAN JOSEPH, JUDGE)

ahg.